

CC TO JUDGE 43

Judge Mary Alice Theiler

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SEP 24 2003 KN

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

97-CV-00255-DECL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILIP E. HARMON, et al.

Defendants.

No. C97-0255W

DECLARATION OF JOHN MELLEN IN  
SUPPORT OF RECEIVER'S MOTION  
TO APPROVE FEES OF RECEIVER,  
HIS ACCOUNTANTS, AND HIS  
LAWYERS

John Mellen declares as follows:

1. I am the attorney primarily responsible for the services provided by Keller Rohrback LLP, the law firm approved by this Court to serve as counsel to the receiver, Robert Fuhrman in this case. I am competent to testify to, and have personal knowledge of, the matters stated in this declaration.

2. Attached to this declaration as Exhibit A are true and correct copies of statements of the fees and costs due and owing to Keller Rohrback LLP for services performed for the receiver in his administration and liquidation of the assets of Capital Investors Limited Partnership ("CIL") and the Family Investment Company ("FIC"). I have reviewed the attached invoices, and all entries are for services performed for the receiver in his administration and liquidation of the assets of CIL and FIC. I believe that the fees and costs incurred in this matter have been reasonable and necessary to accomplish the goals of the Receivership.

DECLARATION OF JOHN MELLEN IN SUPPORT OF RECEIVER'S  
MOTION TO APPROVE FEES (C97-0255W) Page 1

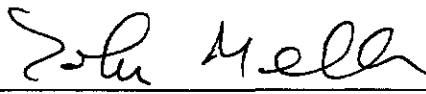
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LAW OFFICES OF  
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TELEPHONE: (206) 623-1900  
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ORIGINAL

1 I certify under penalty of perjury that the foregoing is true and correct.

2 Signed this 22 day of September, 2003 at Seattle, Washington.

3   
4 John Mellen